

REMARKS

Claims 1-21 were previously pending in the application. Claims 7-12 were allowed. Claims 1-6 and 13-21 were rejected. By this Amendment, claims 19-21 are cancelled.

Independent claim 1 is amended to specify an unbonded capping testing system for strength testing of concrete masonry units. Claim 13 has been amended to specify an improvement in a testing system for compression testing of concrete masonry units comprising a compression testing apparatus includes pistons operating first and second platens. Based on these amendments, the rejections of claims 1-6 and 13-18 under Section 112 ought be withdrawn.

The action had suggested amending the preamble generally as done but noting that the claims would be objected for double patenting. Applicant disagrees. Independent claim 1 specifies a testing system including a test apparatus. Independent claim 7 specifies a testing system including first and second platens, which are not specified in claim 1. Also, claim 7 is presented as an improvement claim. Applicant submits that these claims should not be objected to for double patenting.

Claim 13 has been amended to specify a testing system and specifies a compression testing apparatus including pistons operating first and second platens. Thus, as amended, claim 13 is not properly objectionable based on double patenting with respect to claim 7 or claim 1.

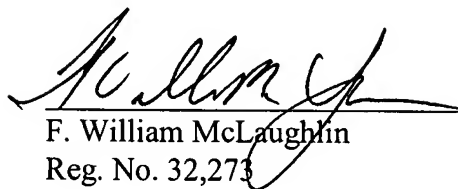
For the above reasons, applicant submits that claims 1-6 and 13-18 are also allowable.

Applicant notes the rejection of claims 19-21. While applicant disagrees with the rejection, the rejection is moot with respect to this application as claims 19-21 are cancelled.

Reconsideration of the application and allowance and passage to issue are requested.

Respectfully submitted,

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